

Holland & Knight

31 West 52nd Street | New York, NY 10019 | T 212.513.3200 | F 212.385.9010
Holland & Knight LLP | www.hklaw.com

James H. Power
+1 212-513-3494
James.Power@hklaw.com

February 4, 2020

Via ECF

Hon. J. Paul Oetken
U.S. District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Tatiana Akhmedova*, Case No. 19-mc-26
Letter Request to Keep Case Open

Dear Judge Oetken:

We are counsel for Applicant Tatiana Akhmedova (“Applicant” or “Ms. Akhmedova”) in the above-captioned action. As this Court is aware, Applicant has filed in this action two requests for orders permitting discovery in aid of certain foreign proceedings pursuant to 28 U.S.C. § 1782. Your Honor granted those applications on January 18, 2019 and April 24, 2019, respectively. Dkts. 5, 11.

On September 16, 2019 Farkhad Akhmedov (“Farkhad”) submitted a letter to this Court requesting permission to file a motion to quash the subpoenas issued pursuant to the Court’s orders. Dkt. 17. This Court granted Mr. Akhmedov leave to file the requested motion to quash on October 3, 2019. Dkt. 19. Recently, on January 7, 2020 the Court noted that Farkhad never filed the motion to quash, and directed that if he intended to do so, such motion should be filed by January 21, 2020. Dkt. 23. To date, no motion to quash has been filed.

This Court also directed on January 7, 2020 that Applicant Ms. Akhmedova should advise the Court by February 4, 2020 whether this case can be closed.

Ms. Akhmedova advises that there is at least one subpoena which is outstanding – specifically, directed at discovery target Y.CO NY INC., who has failed to respond to-date. Counsel for Applicant and for Y.CO NY INC. are currently discussing the matter in order to determine whether an agreement can be reached on the scope of discovery requested, obviating the need to file a motion to compel in this action. However, Applicant respectfully requests that this case be maintained as an open case in the event that a motion to compel disclosure by Y.CO NY INC. is ultimately necessary.

February 4, 2020

Page 2

In addition to the potential motion to compel, Applicant is currently engaged in several foreign litigations against many of the discovery targets (as set out in the two requests for discovery). For example, the documents obtained pursuant to Section 1782 have been used in proceeding in the United Kingdom, wherein Applicant, through her London solicitors, has sought to add certain judgment debtors on the basis of information learned partially through discovery obtained in this action. Applicant is considering whether any additional discovery requests are necessary in order to assist in the foreign litigations, including those pending in the United Kingdom, Liechtenstein, Republic of the Marshall Islands and elsewhere.

Based on the foregoing, Applicant respectfully requests that this case remain open for a period of at least 80 days to allow for the filing of any motions to compel disclosure and/or to allow for supplementary applications for further discovery pursuant to 28 U.S.C. § 1782.

We thank the Court for its attention to this matter.

Respectfully submitted,

HOLLAND & KNIGHT LLP



James H. Power

Granted. Akhmedova shall file a letter concerning the status of this case, including whether it can be closed, on or before April 24, 2020.

So ordered.

February 4, 2020


J. PAUL OETKEN
United States District Judge